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| 10/542,067 | 07/11/2005 | Katsuhiro Kubota | Q88635 | 2862 |
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| EXAMINER VORTMAN, ANATOLY | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 2835 | | | | |
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| 05/02/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/542,067

Applicant(s)

KUBOTA, KATSUHIRO

Examiner

ANATOLY VORTMAN

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) 5-12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Reply Under 37 CFR 1.111

1. The submission of the reply filed on 03/13/08 to the non-final Office action of 11/16/07 is acknowledged.

Drawings

2. Figures 7 and 8 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification appears to be a literal translation from the foreign document and is replete with terms which are not clear, concise and exact. The specification

should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: “[f]urther, there is an electric connection box which performs heat release of an electric wire” (p. 3, lines 9-10); “[f]urther, there is also an electric connection box which can, without providing a ventilating hole into the electric connection box, and without making the size of the electric connection box large and changing material, release heat inside the electric connection box to the outside” (p. 4, lines 13-17); “[h]owever, in this case, since the fuse 10 or 20 is assembled to the fuse attachment portion 70 of the housing 59 while being guided by the groove 80 of the side walls 61, 62 of the housing 59 or the partition wall 65 of the housing 59, such a phenomenon can be prevented from occurring that the movable arm portion 31 of the U-shaped terminal 30 to be conductively coupled to the terminal 15 or 25 of the fuse 10 or 20 is bent thereby to cause a problem in the coupling state between the terminal 15 or 25 of the fuse 10 or 20 and the U-shaped terminal 30”(p. 35, lines 4-13), etc. Examiner would like to reiterate that the aforementioned clauses are only the examples. The specification replete with cumbersome phrases that are not clear and exact. Applicant must carefully review the entire specification in order to correct the aforementioned and other similar not mentioned problems.

A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

Claim Objections

4. Claims 13 and 14 are objected to because claims in the last two lines recite the cumbersome and incorrect clause: “to communicate with adjacent fuse accommodating portions from each other”. Applicant must carefully review all pending claims in order to correct the aforementioned and other similar not mentioned problems.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
6. Claims 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13 and 14 recite the limitations: “fuse accommodating portions” which lack antecedent basis.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

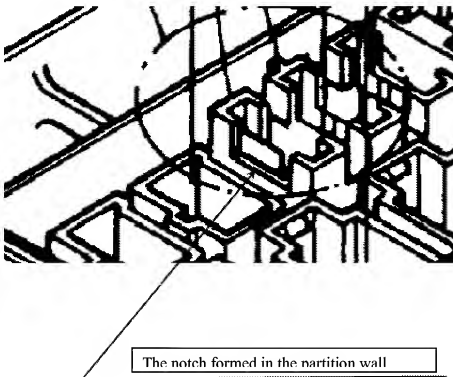
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 13 and 14, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by US/6,585,541 to Higashida et al (Higashida) (of record).

Regarding claims 13 and 14, Higashida disclosed (Fig. 1) an electric connection box (1) comprising a fuse cavity structure (A), the fuse cavity structure including: a housing provided with a plurality of fuse attachment portions divided by partition walls, a large-sized fuse (10) and a small-sized fuse (8) shorter than the large-sized fuse being attachable to the fuse attachment portions, wherein the fuse attachment portions are adapted to accommodate the whole small-sized fuse (8), and wherein a part of the partition wall which is opposed to a part of the small-sized fuse accommodated in the fuse attachment portion is cut to form a notch (not numbered) to communicate with adjacent fuse accommodating portions (see Fig. 3, which clearly shows a notch formed in the partition wall, see also annotated fragment of Fig. 1 below).

See next page →



Response to Arguments

9. Regarding the objection to the drawings, contrary to the Applicant's statement that "Applicant submits herewith corrected drawings", Examiner could not locate any corrected drawings in the Applicant's reply.

Regarding the objection to the specification, Examiner has clearly stated in the non-final Office action: "[a]pplicant must carefully review all specification in order to correct the aforementioned and other similar not mentioned problems." However, Applicant has corrected only the examples cited by Examiner. Thus, the objection is hereby repeated. Furthermore,

Applicant is required to submit a substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b).

Furthermore, arguments regarding the art rejection are moot due to the new grounds of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANATOLY VORTMAN whose telephone number is (571)272-2047. The examiner can normally be reached on Monday-Thursday, between 10:00 am and 8:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Anatoly Vortman/
Primary Examiner, Art Unit 2835